REMARKS

1. Applicants have amended the first paragraph of this application in accordance with the suggestions of the Examiner on page 3 of the Office Action dated 02/28/2006, to fulfill the requirements of 35 U.S.C. 120 and 37 C.F.R. 1.78.

2. Applicants have revised the claims in accordance with the suggestions of the Examiner. Applicants have also revised the claims to make the claims definite and to eliminate inconsistencies that applicants' attorney noted in the claims in preparing this amendment. As now written, the claims are believed to be definite.

3. The Examiner has cited as a separate reference, against a number of the claims including claims 6, 7, 8, 9, 10-12, 24, 25, 39 and 40-42, the Altman et al. pending application US2003/8120526 filed on October 16, 2002. Altman has a filing date of 10/16/2002. This is after applicants' filing date.

Altman filed provisional application 60/329,281 on October 16, 2001 in the USPTO. Applicants are enclosing a copy of the Altman provisional application. As the Examiner will note, the Altman provisional application does not provide a sufficient number of drawings or a sufficient specification to support the Altman non-provisional application. For example, there are at least ten (10) figures showing circuit diagrams and flow charts in the Altman non-provisional application. There are no circuit diagrams or flow charts in the Altman provisional application.

37 CFR 1.53(c) reads as follows:

"Application filing requirements – Provisional application.

The filing date of a provisional application is the date on which a specification as prescribed by the first paragraph of 35 U.S.C. 112, and

any drawing required by §1.81(a) are filed in the Patent and Trademark Office. No amendment, other than to make the provisional application comply with the patent statute and all applicable regulations, may be made to the provisional application after the filing date of the provisional application."

In accordance with the provisions of 37 CFR 1.53(c), the Altman provisional application has no effect in establishing a filing date of the Altman non-provisional application since Altman filed the non-provisional application after 12/2/01, the filing date of this application. Because of this, the Examiner should withdraw the Altman non-provisional patent application as a prior art reference and should allow claims 6, 7, 8, 9, 10-12, 24, 25 and 40-42 over the other references cited by the Examiner.

4. Claims 26-29, 31, 33, 34 and 36 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Iyengar patent 6,360,205. Claims 26-29, 31, 33, 34 and 36 are allowable over Iyengar for the following reasons.

a. Claim 26

In claim 26, applicants recite that the legacy transactions are performed simultaneously with the individual transactions and that the legacy transactions and the individual transactions are provided simultaneously. Applicants also recite that the legacy transactions and the individual transactions are displayed simultaneously on different portions of a display screen. Iyengar does not disclose this. Contrary to the position of the Examiner, Iyengar does not disclose, in (a) column 7, lines 48-60, (b) column 9, lines 40-43, (c) column 11, lines 30-34 and (d) column 16, lines 4-7, the steps of providing prices for the transactions at a processing station from a plurality of first sources at published prices for the transactions, and

providing for the transmission of the prices discounted from the established prices from the first sources to the processing station. Iyengar also doesn't disclose in column 16, lines 4-17 that the searches for the published and the discounted fares are performed simultaneously. There is also no disclosure by Iyengar in column 11, lines 30-35 that the published prices and the discounted prices are displayed simultaneously on a display screen. Because of the failure of Iyengar to disclose the features discussed above, claim 26 is allowable over Iyengar.

b. Claim 27

Claim 27 is dependent from allowable claim 26. Furthermore, Iyengar does not disclose, in (a) column 1, lines 56-61, (b) column 7, lines 49-61 (c) column 8, lines 6-9, (d) column 11, lines 30-55, (e) column 16, lines 4-17 and (f) column 3, lines 10-14, that the published prices for the transactions are provided in a first protocol, that the discounted prices for the transactions and the prices from other sources are provided in a second protocol and the first and second protocols are made compatible and that the published prices and the discounted prices in the compatible protocol are displayed simultaneously on the display server.

c. Claim 28

Claim 28 is dependent from allowable claim 26. Iyengar additionally does not disclose, in (a) column 6, lines 60-65, (b) column 7, lines 49-61, (c) column 8, lines 6-9, (d) column 16, lines 4-17 and (e) column 3, lines 10-14, the steps of providing prices for the transactions at the processing station from at least one second source offering published prices for the second source, the second source being different from the first source, providing for the transmission of the published prices from the at least one second source to the processing station and displaying the published prices from the at least one second source on the display server simultaneously with the display of the

published and discounted prices from the first source and the other sources and from the at least one second source in the display server simultaneously with the display of the published and discounted prices from the first source and the other sources. Because of this, claim 28 is allowable over Iyengar.

d. Claim 29

Claim 29 is dependent from allowable claim 28. Claim 29 is also allowable over Iyengar because of the recitations in claim 29. For example, Iyengar does not disclose that the published prices from the at least one second source is provided with a protocol different from the first and second protocols, that the fares from the first and second sources are searched simultaneously and that the fares are displayed simultaneously.

e. Claim 31

In analyzing claim 31, the Examiner has referred to Altman. Applicants are analyzing the Examiner's interpretation of the claim on the basis that the Examiner intended to refer to Iyengar.

The Examiner has not cited portions of Iyengar against claim 31. However, Iyengar does not disclose any of the steps recited in claim 31.

f. Claim 32

Claim 32 is dependent from allowable claim 31. furthermore, the Examiner has admitted that Iyengar does not disclose the steps of providing a printer at the legacy server and printing, in the printer at the legacy server, a ticket providing for the

performance of the selected one of the legacy and individual transactions as the particular transaction.

The Examiner has indicated in column 14, lines 5-11, that a confirmation is sent to the legacy server and that the legacy system mails the customer a ticket. Therefore, according to the Examiner, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Iyengar to include printing the ticket at the legacy server so that the ticket is automatic. However, Iyengar does not disclose that the legacy server prints the ticket and furthermore that the legacy server prints the ticket at the time of the selection of the legacy.

g. Applicants have added claim 43 in this amendment as dependent from allowable claim 42. Claim 43 is allowable over Iyengar because Iyengar does not disclose the step of simultaneously printing in the printer at the legacy server, the cost of the ticket providing for the selected one of the legacy and individual transactions as the particular transaction.

h. Claim 33

Claim 33 is dependent from allowable claim 31.

i. Claim 34

Claim 34 is allowable over Iyengar because it is dependent from allowable claim 31. Furthermore, column 6, lines 13-20 in Iyengar does not disclose that the indications of the legacy transactions are provided to the database at the processing station through a wide area network.

j. Claim 35

The Examiner has apparently cited the combination of Iyengar and Gerra against claim 35. Claim 35 is dependent from claim 33 and is accordingly allowable over the combination of Iyengar and Gerra for the same reasons as claim 33. This has been discussed previously in these remarks.

k. Claim 36

Claim 36 is dependent from allowable claim 35. Claim 36 is also allowable over Iyengar for the same reasons as claim 34.

Claim 36 has been rejected under 35 U.S.C. 109(a) as being unpatentable over Iyengar in view of Gerra. Claim 36 is allowable over the combination of references for certain important reasons.

For example, the Examiner has admitted that Iyengar does not disclose prices on the first and second portions of the display screen. The Examiner has cited Gerra in column 2, lines 62-67 and Gerra , column 2, lines 30-40. Column 2, lines 20-30 in Gerra is in the Background of the Invention. Gerra indicates a need rather than an accomplishment. Column 2, lines 62-67 in Gerra is in the Summary of the Invention. It does not indicate that the published prices from the first sources and the published prices from the at least one second source are in incompatible formats and these published prices are displayed in a compatible format. For the reasons specified above, claim 36 is allowable over the combination of Iyengar and Gerra.

5. The Examiner has cited other references than Iyengar against a number of the claims including;

a. Claim 37

Claim 37 has been rejected under 35 U.S.C. (4) as being unpatentable over Iyengar in view of Gardiner patent application 052002/017034. Since claim 37 is dependent from allowable claim 34, claim 37 is allowable over the prior art for the same reasons as claim 34.

The Examiner has admitted that Iyengar does not disclose the steps of providing an accounting application at the legacy server and operating the accounting application at the legacy server to provide an accounting record of the selected one of the legacy and the individual transactions as the particular transaction and to provide an accounting record of the price of the selected one of the transactions. Gardiner also does not disclose this information in paragraphs 0007, 0039, 0045 and 0053. Because of this, claim 37 is allowable over the combination of Iyengar and Gardiner.

b. Claim 38

Claim 38 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Chen pending application US 2002/0152100. Actually, claim 38 has been rejected over a combination of Chen and Altman. (See the last two(2) sentences on page 21 of the Office Action concerning Altman.) Since Altman is not a good prior art reference for the reasons discussed above, Chen 38 is allowable over Chen when only Chen is used as a prior art reference.

Furthermore, contrary to the position of the Examiner, Chen does not disclose in paragraphs 0028 and 0036 the steps of providing legacy transactions and individual transactions and providing a local area network and a printer at the processing

station. Chen also does not disclose in paragraphs 0061-0065 the steps of providing at the processing station a database for storing volatile information including a selected one of the legacy transactions and the individual transactions, and the price of the selected one of the legacy transactions and the individual transactions, as the particular transaction. There is also no disclosure in Chen of the step of providing for the passage through the internet to the printer of the selected one of the legacy transactions and the individual transactions as the particular transaction and the cost of the selected one of the legacy transactions and the individual transactions. There is also no disclosure in paragraph 0032 of Chen of the step of printing at the printer the selected one of the legacy transactions and the individual transaction. According to the Examiner, Chen has admitted that Chen does not disclose the printing of the selected transaction.

For the reasons discussed above, claim 38 is allowable over Chen and the combination of Chen and Pitman.

c. Claim 39

Since claim 39 is dependent from allowable claim 38, it is allowable over Chen, and the combination of Chen and Altman, for the same reasons as claim 38. Altman, in paragraphs 35 and 50-59, and Gerra additionally do not disclose that the legacy transactions, and the price of the legacy transactions, are transmitted to the processing station through a wide area network and that the individual transactions and the price of the individual transactions are transmitted to the processing station through the internet. Altman is also not a proper reference for the reasons discussed above.

d. Claims 40-42

Claims 40-42 have been rejected under 33 U.S.C. 103(a) as being unpatentable over Chen in view of Gerra in view of Altman. Claims 40-42 are allowable over the combination of Chen and Gerra since Altman is not a proper reference for the reasons discussed above.

e. Claim 40

Gerra does not disclose in (a) column 7, lines 1-25 and column 8, lines 4-7 that the legacy transactions are provided in a first protocol, the individual transactions are provided in a second protocol different from the first protocol and the first and second protocols are made compatible at the processing station. Paragraph 0059 in Altman, additionally provides a general discussion that does not disclose what is specifically recited in claim 40. Furthermore, Altman is not a proper reference for the reasons discussed above.

f. Claim 41

Claim 41 is dependent from allowable claim 40.

g. Claim 42

Claim 42 is allowable over the references for the same reasons as claim 40 because it is dependent from allowable claim 40.

6. A number of the claims are allowable over the references because Altman is not a proper reference. The other claims are allowable over the cited references because they recite features not disclosed in the cited references.

7. In order for different prior art references to be combined to reject a claim, the references have to disclose or suggest the combination recited in the claim. ACS Hospitality Systems, Inc. v. Montefiore Hospital, 732 F.2d 1572, 221 USPQ 929 (Fed. Cir. 1984). As the Federal Circuit indicated in the ACS case at 732 F2d. 1572, 1577, 221 USPQ 929, 933:

> "Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. Under Section 103, teaching of references can be combined only if there is some suggestion or incentive to do so."

See also In re Fine, 837 F.2d 1071, 5 USPQ 2d. 1596, (Fed. Cir. 1988) and In re Jones, 958 F.2d 347, 21 USPQ 2d. 1941 (Fed. Cir. 1992) in support of the holding in the ACS case.

None of the references cited by the Examiner to reject the claims in this application discloses or suggests certain of the features recited in the claims. These features are specified above for each of the claims in the application. This has been discussed above in some detail. The references cannot accordingly be combined to reject the claims.

8. Applicant has attempted to comply with the requirements of the Examiner in the Office Action dated November 3, 2006. However, applicant is not certain what the Examiner has intended to mean by the word "characters" on the last page of the Office Action.

9.. Please charge any costs, or apply any credits, to Account 06-2425.

10. Reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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